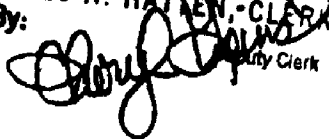


ORIGINAL

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

FILED IN CLERK'S OFFICE
U.S.D.C. Atlanta

JUN 25 2008

JAMES N. HATTEN, CLERK
By:  Deputy Clerk

ARTHA JONES,

Plaintiff,

v.

MERCANTILE ADJUSTMENT
BUREAU, LLC, a New York
limited liability company

Defendant.

CIVIL ACTION FILE

NO. **1 08-cv-2121**

TCB

COMPLAINT FOR DAMAGES

INTRODUCTION

1. This is an action for damages against the defendant for violations of the Federal Fair Debt Collection Practices Act, 15 U.S.C. §§ 1692 et seq.

SUBJECT MATTER JURISDICTION

2. Subject matter jurisdiction in this Court is proper pursuant to 15 U.S.C. § 1692k(d) and 28 U.S.C. § 1337 (federal question jurisdiction).

PARTIES AND PERSONAL JURISDICTION

3. Plaintiff is a resident of this State, District and Division and is authorized by law to bring this action.
4. Defendant, MERCANTILE ADJUSTMENT BUREAU, LLC., is a limited liability company formed under the laws of the State of New York.

[Hereinafter, said Defendant is referred to as "MAB"]
5. MAB is subject to the jurisdiction and venue of this Court.
6. MAB may be served by personal service upon an authorized agent at its principle place of business, to wit: 6390 Main Street, Williamsville, New York 14221.
7. Alternatively, MAB may be served by personal or substitute service pursuant to the Federal Rules of Civil Procedure and, as applicable, the laws of the states of Georgia or New York.

FACTS COMMON TO ALL CAUSES

8. MAB uses the mails in its business.
9. MAB uses telephone communications in its business.
10. The principle purpose of MAB's business is the collection of debts.

11. MAB regularly collects or attempts to collect debts owed or due, or asserted to be owed or due, another.
12. MAB is a debt collector subject to the provisions of the Fair Debt Collection Practices Act.
13. In the course of attempting to collect a debt allegedly due from Plaintiff to a business not a party to this litigation, MAB communicated with Plaintiff in a manner which violated the Federal Fair Debt Collection Practices Act.
14. In or around June 2008, MAB left a series of recorded voice messages for Plaintiff requesting a return call.
15. In the June 2008 phone messages, MAB did not identify itself or otherwise provide meaningfully disclosure of its identity.
16. In the June 2008 phone messages, MAB did not state that the communications were from a debt collector.
17. In the June 2008 phone messages, MAB did not state that the communications were an attempt to collect a debt.
18. Defendant's communications violate the Fair Debt Collection Practices Act.
19. Plaintiff has complied with all conditions precedent to bring this action.

CAUSES OF ACTION

COUNT ONE: FAIR DEBT COLLECTION PRACTICES ACT

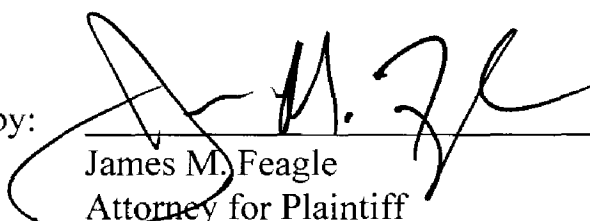
20. The acts of Defendant constitute violations of the Fair Debt Collection Practices Act.
21. Defendant's violations of the FDCPA include, but are not limited to, the following:
 22. The placement of telephone calls without meaningful disclosure of the caller's identity, in violation of 15 U.S.C. § 1692d(6);
 23. The use of any false, deceptive, or misleading representations or means in connection with the collection of any debt, in violation of 15 U.S.C. § 1692e; and
 24. The failure to disclose in subsequent communications that the communication is from a debt collector, in violation of 15 U.S.C. § 1692e(11).
25. As a result of Defendant's actions, Plaintiff is entitled to an award of statutory damages, as well as an award of costs and attorney fees.

WHEREFORE, PLAINTIFF RESPECTFULLY PRAYS THAT
JUDGMENT BE ENTERED AGAINST DEFENDANT AND IN FAVOR OF
PLAINTIFF, AS FOLLOWS:

- a) That Plaintiff be awarded statutory damages;
- b) That Plaintiff be awarded the expenses of litigation including a
reasonable attorney fee;
- c) That the Court declare each and every defense raised by Defendant to
be insufficient; and
- d) That the Court grant such further and additional relief as is just in the
circumstances.

Respectfully submitted,

THE LAW OFFICES OF JAMES M. FEAGLE, P.C.

by: 
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